

**IOWA BOARD OF MEDICINE
REGULARLY SCHEDULED MEETING: June 5-6, 2014**

A G E N D A^{1, 2, 3, 4, 5}

BOARD MEMBERS: Hamed Tewfik, M.D., Chairperson; Michael Thompson, D.O., Vice Chairperson; Allison Schoenfelder, M.D., Secretary; Robert Bender, M.D.; Frank Bognanno; Julie Carmody, M.D.; Ronald Cheney, D.O.; Diane Clark; Diane Cortese; Julie Perkins, M.D.

THURSDAY, JUNE 5, 2014

7:30 a.m. **EXECUTIVE COMMITTEE** - Medical Conference Room B
Chair Tewfik, Bognanno, Clark, Schoenfelder, Thompson

8:00 a.m. **SCREENING COMMITTEE** - Board Room
Chair Perkins, Bender, Carmody, Cheney, Cortese

9:00 a.m. **MONITORING COMMITTEE** - Board Room
Chair Thompson, Bognanno, Cheney, Perkins, Tewfik

9:00 a.m. **LICENSURE COMMITTEE** - Medical Conference Room B
Chair Schoenfelder, Bender, Carmody, Clark, Cortese

FULL BOARD - OPEN SESSION - Board Room
Chair Tewfik, Bender, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

FULL BOARD - CLOSED SESSION¹ - Board Room
Chair Tewfik, Bender, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

A. Iowa Physician Health Committee

1. Notice of Non-compliance

B. Review of closed minutes

1. April 17, 2014
2. May 8, 2014 teleconference

LUNCH BREAK

FULL BOARD - CLOSED SESSION¹ - Board Room

Chair Tewfik, Bender, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

FULL BOARD - OPEN SESSION - Board Room

Chair Tewfik, Bender, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

A. Unlicensed Practice of Medicine Cases

B. Vote on Closed Session Cases

FRIDAY, JUNE 6, 2014

7:30 a.m.

FULL BOARD - OPEN SESSION - Board Room

Chair Tewfik, Bender, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

FULL BOARD - CLOSED SESSION¹ – Board Room

Chair Tewfik, Bender, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

FULL BOARD - OPEN SESSION - Board Room

Chair Tewfik, Bender, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

A. Vote on Closed Session Cases

9:00 a.m.

OPEN SESSION/PUBLIC MEETING - Board Room

Chair Tewfik, Bender, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

A. Roll-call to establish quorum; acknowledge absent Board members; recognize new members Diane Cortese of Urbandale and Ronald Cheney, D.O., of Carroll; and approval of agenda^{3,4}

B. Opportunity for public comments⁵

C. Board Minutes for Consideration of Approval:

1. April 17, 2014 (open & closed)
2. May 8, 2014 (open & closed)

D. Chair's Report

E. Executive Director's Report

1. Budget review
2. Legislative wrap-up
3. 2013 annual report

F. Administrative Rules & Potential Legislation

1. Licensed acupuncturist review
2. Relinquish an inactive medical license and creation of an administrative medical license
3. Interstate Medical Licensure Compact

G. Federation of State Medical Boards

1. Annual meeting
 - i. Reports
 - ii. Resolutions
2. Maintenance of licensure pilot project – Iowa survey update
3. FSMB delegation here August 7

H. Iowa Physician Health Committee/Program

1. FSPHP meeting report
2. YTD statistics
3. Other

I. Licensure & Licensure Committee Report

J. Judicial Review & Legal Update

1. **Contested Case Hearing Process Overview**
2. **IAC 653 13.10** – Standards of practice for physicians who perform medical abortions. ACLU filed an amicus brief in support of Planned Parenthood. Oral argument scheduled June 16.
3. **Amjad Butt, M.D.** – Two cases awaiting review in District Court. Motion filed to stay second case while first decision is going through judicial review.
4. **Mark Collison, M.D.** – Awaiting decision on respondent's application for further review by Supreme Court.
5. **Donna DeLouis, D.O.** – Briefing with Appeals Court.
6. **Richard Fleming, M.D.** – Awaiting review in District Court.
7. **Wendy Smoker, M.D.** – State has filed motion to dismiss appeal of the Board's denial of her claim for expenses. Oral argument scheduled June 24.

K. Reports & Articles

1. U.S. Medical Regulatory Trends & Actions, Federation of State Medical Boards, May 2014.
2. Doctors make 12 million outpatient diagnostic errors every year, Fierce HealthCare.com, April 17, 2014
3. Need a doc? These companies will hook you up in a hurry, Kaiser Health News, May 7, 2014
4. Patient contact: Shake hands, hug, fist bump, or just smile?, Medscape Medical News, May 20, 2014
5. Patients lose when doctors can't do good physical exams, Kaiser Daily Health Policy Report, May 20, 2014
6. Unnecessary tests and procedures in the health care system, Perry Undem Research/Communication, May 1, 2014

FULL BOARD - CLOSED SESSION¹ - Board Room

Chair Tewfik, Bender, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

LUNCH BREAK

FULL BOARD - CLOSED SESSION¹ – Board Room

Chair Tewfik, Bender, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

FULL BOARD - OPEN SESSION - Board Room

Chair Tewfik, Bender, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

A. Vote on Closed Session Cases

ADJOURN

If there is no further business to conduct, the chairperson will declare the meeting adjourned.

(1) The confidential matters listed on the agenda may concern medical records on the condition, diagnosis, care or treatment of a patient or investigation reports and other investigative information which are privileged and confidential under the provisions of Sections 22.7(2) and 272C.6(4), of the 2012 Code of Iowa. These matters constitute a sufficient basis for the Board to consider a closed session under the provisions of Section 21.5(1)(a), (d), (f) and (g) of the 2012 Code of Iowa. These sections provide that a governmental body may hold a closed session only by affirmative public vote of either two-thirds of the members of the body if all present, or all of the members present if not all members are present at the meeting to review or discuss records which are required or authorized by state or federal law to be kept confidential, to discuss whether to initiate licensee disciplinary investigations or proceedings and to discuss the decision to be rendered in a contested case conducted according to the provisions of Chapter 17A.

(2) Hearings may be closed at the discretion of the licensee, according to Section 272C.6(1) of the Code of Iowa 2012.

(3) Public agenda materials are available via e-mail. Public sessions are recorded and available via CD upon request. Contact natalie.sipes@iowa.gov

(4) The Iowa Board of Medicine may address agenda items out of sequence to accommodate persons appearing before the Board or to aid in the efficiency or effectiveness of the meeting.

(5) At this time, members of the audience may address the Board for a period not to exceed 5 minutes. The Board reserves the right to reduce this time based on the number wishing to speak. If a member of the public wishes to address the Board with the intention of getting a Board decision at the meeting, the individual should request permission to be on the Board agenda. Written requests are due in the Board office at least 14 days in advance of the meeting.

The next scheduled Board meeting is Thursday and Friday, August 7-8, 2014, at 400 SW Eighth Street, Suite C, Des Moines, Iowa 50309.

If you require the assistance of auxiliary aids or services to participate in/or attend the meeting because of a disability, please call our ADA Coordinator at (515) 281-5604. If you are hearing impaired, call Relay IA TTY at 1-800-735-2942.